

AMENDED IN SENATE JUNE 16, 2011

AMENDED IN ASSEMBLY MAY 11, 2011

AMENDED IN ASSEMBLY APRIL 25, 2011

AMENDED IN ASSEMBLY APRIL 4, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 1087**

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**Introduced by Assembly Member Brownley**

February 18, 2011

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An act to add Section 51351 to the Government Code, relating to local government.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1087, as amended, Brownley. Cities and counties: public safety services: contracts.

Existing law requires a county that provides services through its appropriate departments, boards, commissions, officers, or employees to any city pursuant to a contract or law, to charge the city all those costs that are incurred in providing those services.

This bill would, commencing January 1, 2012, provide that, unless otherwise stipulated in the contract, if a city that contracts with a county for public safety services through the county notifies the county of its intent to terminate the contract, then the county is authorized to require the city to provide a comprehensive fiscal analysis relating to the ability of the city to provide public safety services, as specified.

*This bill would also express a legislative finding and declarations that its provisions shall apply to all cities, including charter cities.*

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 51351 is added to the Government Code,  
2     to read:  
3     51351. (a) Unless otherwise stipulated in the contract, if a city  
4     that contracts with a county to receive public safety services  
5     through the county notifies the county of its intent to terminate the  
6     contract, then the county may require the city to provide a  
7     comprehensive fiscal analysis relating to the ability of that city to  
8     provide public safety services to its residents. This fiscal analysis  
9     shall be conducted by a mutually agreed upon independent auditing  
10    firm; ~~or the county auditor controller, or the State Controller~~ and  
11    shall include the following:  
12    (1) The projected costs to the city for providing public safety  
13    services and facilities during the 10 fiscal years following the  
14    creation of the public safety services agency. This analysis shall  
15    include, but shall not be limited to, a comparison of costs based  
16    on other independent public safety services agency costs in cities  
17    with comparable size, crime rates, minimum staffing, and other  
18    factors.  
19    (2) The revenue of the city during the prior 10 years and the  
20    projected revenue of the city over the next 10 years.  
21    (3) The effects of the costs and revenues on the city and its  
22    ability to fully fund the public safety services agency.  
23    (4) Any other information and analysis necessary to determine  
24    the fiscal ability of the city to fund a public safety services agency.  
25    (b) Unless otherwise stipulated in the contract, costs of the fiscal  
26    analysis will be paid by the ~~party~~ county requesting the analysis.  
27    (c) This section shall apply to contracts entered into *or renewed*  
28    on and after January 1, 2012.  
29    SEC. 2. *The Legislature finds and declares that to protect the*  
30    *public safety of the residents of this state, determining a city's*  
31    *fiscal ability to provide public safety services after it terminates*  
32    *a public safety services contract with a county is an issue of*  
33    *statewide concern and not a municipal affair, as that term is used*

- 1 *in Section 5 of Article XI of the California Constitution. Therefore,*
- 2 *this act shall apply to all cities, including charter cities.*

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